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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/911,522	07/24/2001	William J. Bushee	21-0851	4232

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EXAMINER

CHEN, CHONGSHAN

ART UNIT	PAPER NUMBER
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2172

DATE MAILED: 11/21/2003

2

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary	Application No.	Applicant(s)	
	09/911,522	BUSHEE ET AL.	
	Examiner	Art Unit	
	Chongshan Chen	2172	

-- The MAILING DATE of this communication appears on the cover sheet with the corresponding address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
 * See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
 a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). ____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____ 6) ☐ Other:

DETAILED ACTION

1. Claims 1-15 are pending in this office action.

Claim Rejections - 35 USC § 102

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-3, 5-6 and 8-15 are rejected under 35 U.S.C. 102(e) as being anticipated by Wu (6,553,364).

As per claim 1, Wu teaches a method for the automatic harvesting and qualification of dynamic database content comprising:

obtaining an initial categorization structure for organizing a plurality of subject areas of information (Wu, Fig. 2);

obtaining a plurality of parametric information lists for optimizing operation to a user's requirements (Wu, Fig. 3, col. 6, lines 10-21);

acquiring a listing of a plurality of qualified databases from said candidate database listing by matching each one of a candidate databases to said plurality of subject areas (Wu, Fig. 2);

obtaining a query from the user, said query being associated with a subject area (Wu, col. 6, lines 61-67);

submitting said query to said plurality of qualified databases (Wu, col. 6, line 61 – col. 7, line 5);

acquiring a collection of responsive content from said plurality of qualified databases (Wu, Fig. 1, element 30, issues a search request, element 32, retrieves search result);

indexing said responsive content to form an index of facilitating searching said collection of responsive content (Wu, Fig. 3, element 22, word index, col. 3, lines 10-21);

publishing a summary of said collection of responsive content for review by the user (Wu, Fig. 5).

As per claim 2, Wu teaches all the claimed subject matters as discussed in claim 1, and further teaches obtaining a candidate database listing providing a plurality of databases to be considered for said step of acquiring a plurality of qualified databases (Wu, Fig. 2); obtaining an exclusion list providing a plurality of terms and sources to inhibit associations for said step of acquiring a collection of responsive content (Wu, col. 6, lines 6, lines 65-67); obtaining an inclusion list providing a plurality of terms and sources restricting associations for said step of acquiring a collection of responsive content (Wu, col. 6, lines 6, lines 65-67); obtaining a stop list providing a plurality of terms to be excluded for said step of indexing said responsive content (Wu, col. 6, lines 19-22).

As per claim 3, Wu teaches all the claimed subject matters as discussed in claim 1, and further teaches capturing an initial page from each one of said plurality of candidate databases (Wu, col. 5, lines 1-15); evaluating said initial page for relevancy to said each one of said subject areas (Wu, col. 5, lines 1-15); qualifying databases according to relevance to said subject areas (Wu, col. 5, lines 1-15); associating said qualified databases with said subject areas (Wu, col. 5, lines 1-15).

As per claim 5, Wu teaches all the claimed subject matters as discussed in claim 1, and further teaches submitting a query to each one of said databases (Wu, col. 6, lines 61-67); capturing a plurality of pieces of responsive content provided by each one of said databases (Wu, col. 7, lines 1-23); evaluating each one of said plurality of pieces of responsive content for relevancy to said query (Wu, col. 7, lines 1-23); assigning a numerical score to each one of said plurality of pieces of responsive content, said numerical score representing a degree of relevance to said query (Wu, col. 6, lines 41-60); developing an aggregate score for each one of said databases (Wu, col. 6, lines 41-60); selecting databases to be polled for content based upon said aggregate score (Wu, col. 6, lines 41-60).

As per claim 6, Wu teaches all the claimed subject matters as discussed in claim 5, and further teaches obtaining a content parameter limiting the number of pieces of content to be captured from each one of said databases (Wu, col. 6, lines 41-60); obtaining an initial weighting of each one of said pieces of responsive content from said database (Wu, col. 6, lines 41-60); selecting a quantity of pieces of responsive content limited by said content parameter such that pieces of responsive content with a relatively greater initial weighting are selected before pieces of responsive content with a relatively lesser initial weighting (Wu, col. 6, lines 41-60).

As per claim 8, Wu teaches all the claimed subject matters as discussed in claim 1, and further teaches analyzing an initial page from each one of said plurality of qualified databases for formatting (Wu, col. 5, lines 1-14); determining an input location for passing queries by said initial page to each one of said plurality of databases (Wu, Fig. 5); determining results locations for capturing search results returned from each one of said plurality of databases (Wu, Fig. 5);

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recording said input location and said results locations for use in formatting queries for each one of said databases (Wu, Fig. 1 & 5).

As per claim 9, Wu teaches all the claimed subject matters as discussed in claim 1, and further teaches comparing each piece of responsive content to each one of said subject areas in said initial categorization structure (Wu, col. 5, lines 1-14); matching each piece of responsive content to subject areas based on relevance of the responsive content to the subject areas (Wu, col. 5, lines 1-14); filtering matches to optimize said categorization structure (Wu, col. 1-14).

As per claim 10, Wu teaches all the claimed subject matters as discussed in claim 9, and further teaches removing duplicate pieces of responsive content (Wu, col. 6, lines 10-67); obtaining a population parameter for limiting a number of pieces of responsive content which may be matched to any one subject area (Wu, col. 12, lines 45-53); obtaining an occurrence parameter for limiting a number of subject areas to which any one piece of responsive content may be matched (Wu, col. 12, lines 45-53); restricting matches for each one of said subject areas according to said occurrence parameter and said population parameter (Wu, col. 12, lines 45-53).

As per claim 11, Wu teaches all the claimed subject matters as discussed in claim 9, and further teaches obtaining an exclusion list to inhibit matches based on predetermined words and sources (Wu, col. 6, lines 10 – col. 11, line 47); obtaining an inclusion list to restrict matches based on predetermined words and sources (Wu, col. 6, lines 10 – col. 11, line 47); matching each piece of responsive content with subject areas according to said exclusion list and said inclusion list (Wu, col. 6, lines 10 – col. 11, line 47).

As per claim 12, Wu teaches all the claimed subject matters as discussed in claim 9, and further teaches creating a categorization file for recording matches between each piece of

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responsive content and each subject area (Wu, col. 5, lines 1-14); saving said categorization file to a storage medium for use in searching said collection of responsive content (Wu, col. 5, lines 1-14).

As per claim 13, Wu teaches all the claimed subject matters as discussed in claim 1, and further teaches obtaining a stop list providing a list of words not to be indexed (Wu, col. 6, lines 19-22); parsing each piece of responsive content into constituent words (Wu, col. 6, line 10 – col. 7, line 67); eliminating words of said responsive content occurring on said stop lists (Wu, col. 6, lines 61-67); recording a location of every occurrence of constituent words in said collection of responsive content (Wu, col. 8, line 52 – col. 9, line 8).

As per claim 14, Wu teaches all the claimed subject matters as discussed in claim 1, and further teaches determining if a summary is provided for each piece of said responsive content (Wu, col. 5, 1-14); examining each piece of said responsive content for keywords associated with each subject area (Wu, col. 5, 1-14); developing a keyword summary score for each piece of responsive content (Wu, col. 6, lines 10-67); examining each piece of said responsive content for relevant extracts forming an extract summary (Wu, col. 6, lines 10-67); developing an extract score for each piece of responsive content (Wu, col. 6, lines 10-67); comparing said keyword summary score to said extract score for a summary composite score (Wu, col. 6, lines 10-67); selecting said keyword summary if a predetermined summary value is exceeded by said summary composite score (Wu, col. 6, lines 10-67); selecting said extract summary if a predetermined summary value if not exceeded by said summary composite score (Wu, col. 6, lines 10-67).

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As per claim 15, Wu teaches a system for the automatic harvesting and qualification of dynamic database content comprising:

a computer system having a communication means for communicating with at least one other computer including a database to facilitate the two-way flow of information between said computer system and the at least one other computer (Wu, Fig. 1);

said computer system having a storage means for retention and recall of data communicated by or to the at least one other computer (Wu, Fig. 1);

said computer system having a processing means for executing multiple software modules and performing (Wu, Fig. 1);

comparisons between a user supplied query and a plurality of documents found in at least one other computer (Wu, col. 6, line 61 – col. 7, line 47);

an index for storing a plurality of pre-approved internet sites to be included in a series of queries (Wu, Fig. 3, col. 6, lines 10-60);

a configuration module adapted for translating a generic query into site-specific dialects such that a single user defined query may be directed to multiple sites automatically (Wu, col. 6, lines 61 – col. 7, line 47);

a selection module adapted for characterizing said plurality of documents returned by the database of the at least one other computer and associated with said user defined query (Wu, col. 12, lines 45-53);

a results index to allow for rapid recovery of specific portions of any one of said plurality of documents characterized by said selection module (Wu, Fig. 3, col. 6, lines 10-60); and

a generator module for automatically generating at least one results page for the user conveying information associated with any one of said plurality of documents associated with said query (Wu, col. 8, lines 52-67).

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 4, 7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wu (6,553,364).

As per claim 4, Wu teaches all the claimed subject matters as discussed in claim 3, and further teach obtaining a database relevancy parameter (Wu, col. 6, lines 41-60); comparing the relevance of each initial page to said relevancy parameter (Wu, col. 5, lines 1-15). Wu does not explicitly disclose removing each candidate database with a relevancy below said minimum threshold value from qualification. However, the search system of Wu has importance weighting values to indicate how relevant a particular database or category is to the user submitted query (Wu, col. 6, lines 41-60). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to remove candidate database with a relevancy below a threshold in the system of Wu. This will save search time by ignoring those irrelevant databases.

As per claim 7, Wu teaches all the claimed subject matters as discussed in claim 1, and further teaches capturing an initial page from each one of said plurality of candidate databases

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(Wu, col. 5, lines 1-15); evaluating said initial page for relevancy to said each one of said subject areas (Wu, col. 5, lines 1-15); obtaining a database relevancy parameter (Wu, col. 6, lines 41-60); comparing the relevance of each initial page to said relevancy parameter (Wu, col. 6, lines 41-60); qualifying databases according to relevance to said subject areas (Wu, col. 6, line 41 – col. 7, line 23); submitting a query to each one of said databases (Wu, col. 6, line 41 – col. 7, line 23); capturing a plurality of pieces of responsive content provided by each one of said databases (Wu, col. 6, line 41 – col. 7, line 23); obtaining a content parameter limiting the number of pieces of content to be captured from each one of said databases (Wu, col. 6, line 41 – col. 7, line 23); obtaining an initial weighting of each one of said pieces of responsive content from said database (Wu, col. 6, line 41 – col. 7, line 23); selecting a quantity of pieces of responsive content limited by said content parameter such that pieces of responsive content with a relatively greater initial weighting are selected before pieces of responsive content with a relatively lesser initial weighting (Wu, col. 6, line 41 – col. 7, line 23); evaluating each one of said plurality of pieces of responsive content for relevancy to said query (Wu, col. 6, line 41 – col. 7, line 23); assigning a numerical score to each one of said plurality of pieces of responsive content, said numerical score representing a degree of relevance to said query (Wu, col. 6, line 41 – col. 7, line 23); developing an aggregate score for each one of said databases (Wu, col. 6, line 41 – col. 7, line 23); selecting databases to be polled for content based upon said aggregate score (Wu, col. 6, line 41 – col. 7, line 23); associating said qualified databases with said subject areas (Wu, col. 6, line 41 – col. 7, line 23).

Wu does not explicitly disclose removing each candidate database with a relevancy below said minimum threshold value from qualification. However, the search system of Wu has

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importance weighting values to indicate how relevant a particular database or category is to the user submitted query (Wu, col. 6, lines 41-60). Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to remove candidate database with a relevancy below a threshold in the system of Wu. This will save search time by ignoring those irrelevant databases.


Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Chongshan Chen whose telephone number is 703-305-8319. The examiner can normally be reached on Monday - Friday (8:00 am - 4:30 pm).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kim Y Vu can be reached on (703)305-4393. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703)305-3900.

November 17, 2003


SHAHID ALAM
PRIMARY EXAMINER